



Attorney's Docket No.: 09857-054001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Steven M. Bloom et al.

Art Unit : Unknown

Serial No. : 09/758,967

Examiner : Unknown

Filed : January 11, 2001

Title : ARBITRAGE OF TRACKING SECURITIES

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Commissioner for Patents

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INFORMATION DISCLOSURE STATEMENT

Copies of the references listed on the attached form PTO-1449 are enclosed. A copy of a communication from a foreign patent office in a counterpart application is also enclosed.

This statement is being filed within three months of the filing date of the application or before the receipt of a first Office action on the merits. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 4/25/03

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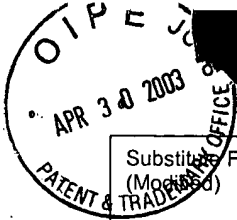
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Date of Deposit April 25, 2003

Signature Marie Collins

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|--|--|---------------------------------------|-------------------------------|
| Substitute Form PTO-1449<br>(Modified)   | U.S. Department of Commerce<br>Patent and Trademark Office | Attorney's Docket No.<br>09857-054001 | Application No.<br>09/758,967 |
| <b>Information Disclosure Statement<br/>by Applicant</b><br>(Use several sheets if necessary)<br><br>(37 CFR §1.98(b)) |  | Applicant<br>Steven M. Bloom et al.   |                               |
|  |  | Filing Date<br>January 11, 2001       | Group Art Unit<br>3628        |

| U.S. Patent Documents |           |                   |                  |                  |       |          |                            |
|-----------------------|-----------|-------------------|------------------|------------------|-------|----------|----------------------------|
| Examiner Initial      | Desig. ID | Document Number   | Publication Date | Patentee         | Class | Subclass | Filing Date If Appropriate |
| gm                    | AA        | US2001/0025266 A1 | 9-27-01          | Gastineau et al. | 705   | 37       | 3/23/01                    |
| mm                    | AB        | US2002/0091616 A1 | 7-11-02          | Bloom et al.     | 705   | 37       | 1/11/01                    |
|                       | AC        |                   |                  |                  |       |          |                            |
|                       | AD        |                   |                  |                  |       |          |                            |

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| Foreign Patent Documents or Published Foreign Patent Applications |           |                 |                  |                          |       |          |             |    |
|---|-----------|-----------------|------------------|--------------------------|-------|----------|-------------|----|
| Examiner Initial  | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation |    |
|   |           |                 |                  |                          |       |          | Yes         | No |
| mm  | AE        | WO 10/72106 A2  | 10-4-01          | Gastineau et al.         |       |          | X           |    |

| Other Documents (include Author, Title, Date, and Place of Publication) |           |   |
|---|-----------|---|
| Examiner Initial  | Desig. ID | Document  |
| mm  | AF        | Malkiel, Burton G., "Investors Shouldn't Fear 'Spiders' --- Exchange-traded funds have some unique advantages and deserve a respected place in the menu of index products." The Asian Wall Street Journal: New York; 05 June 2000, p. 8 (full text) ProQuest (online) (retrieved 16-08-2002). |
| mm  | AG        | Damato, Karen, and Lucchetti, Aaron, "Critics Worry About Risks of Exchange-Traded Funds", The Wall Street Journal; New York; 07 July 2000, p C1 (full text) ProQuest (online) (retrieved 16-08-2002).  |

|  |                            |
|--|----------------------------|
| Examiner Signature<br><i>Nguyen</i>  | Date Considered<br>6/23/04 |
| EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                            |